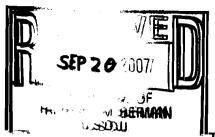
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## MEMO ENDORSED

THE CITY OF NEW YORK

## LAW DEPARTMENT

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**BY HAND** 

MICHAEL A. CARDOZO

Corporation Counsel

The Honorable Richard M. Bern an United States District Judge Southern District of New York 500 Pearl Street
New York, New York 10007

Re: Akeem Frazier v. City of

September 20, 2007

Adjumed to 11/8/07 1 2:00

Date: 9/20/07 Richard M. Berg. New York, et al., 07 CY 5692 (RMR)

Your Honor:

I am an Assistant Corporation Counsel in the Office of the Corporation Counsel, attorney for defendants City of New York and the New York City Police Department. I write to respectfully request an adjournment of the initial conference that is currently scheduled for October 18, 2007, at 9:15 a.m., as I will be out of the country on that date. Plaintiff's counsel, Mr. Nkereuwem Umoh, consents to this request.

The parties have conferred on the matter and hope that one of the following proposed dates will be amendable to the Court's schedule:

November 8, 2007, after 12 p.m.

November 9, 2007, anytime.

USDC SDNY DOCUMENT

ELECTRONICALLY FILED

DOC #:

DATE FILED: 9/20/07

<sup>&</sup>lt;sup>1</sup> Although NYPD is named as a defendant in this action, defendants note that NYPD is a non-suable entity. Wray v. City of New York, 340 F. Supp. 2d 291, 303 (2004).

Thank you in advance for your consideration herein.

Respectfully submitted,

Prathyusha Reddy (PR 5579) Assistant Corporation Counsel Special Federal Litigation Division

cc:

BY FAX (718) 360-1916 Nkereuwem Umoh, Esq. Attorney for Plaintiff 255 Livingston Street 4<sup>th</sup> Floor Brooklyn, NY 11217